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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 PATRICK T. MINVIELLE, et al.,

10 Plaintiffs,

11 v.

12 SMILE SEATTLE INVESTMENTS, L.L.C.,
13 a Washington Limited Liability Company, et
14 al.,

15 Defendants.

No. C08-910Z

ORDER OF DISMISSAL AS TO
EVERGREEN BANK ONLY

16
17 Counsel having notified the Court of the settlement of this matter as between Plaintiffs
18 and Defendant Evergreen Bank,

19 NOW, THEREFORE, IT IS ORDERED that Plaintiffs' claims against Defendant
20 Evergreen Bank are DISMISSED with prejudice and without costs.

21 The Court STRIKES Defendant Evergreen Bank's Motion for Summary Judgment,
22 docket no. 83, as moot.

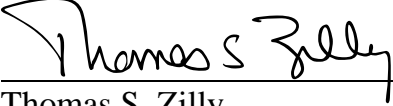
23 Nothing in this Order shall affect Plaintiffs' claims against any other defendant. In the
24 event settlement between Plaintiffs and Defendant Evergreen Bank is not perfected, such
25 parties may move to reinstate the claims dismissed herein provided such motion is filed by
26 September 4, 2009.

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IT IS SO ORDERED.

The Clerk of this Court is directed to send uncertified copies of this Order to all
counsel of record.

DATED this 21st day of August, 2009.


Thomas S. Zilly
United States District Judge